

**INLAND WETLANDS & WATERCOURSES AGENCY
REGULAR MEETING
MONDAY, OCTOBER 6, 2014 – 7:30 P.M.
WOODSTOCK TOWN HALL – LOWER LEVEL, ROOM B**

MINUTES

Present: Chair Mark Parker, Marla Butts, Diane Wolff (via Skype), Andrew Massey, Tina Lajoie, (IWWA Clerk), Scott Young (CME), Julie Anderson, Robert Messier (Messier & Assoc), Greg Favreau, Meribeth Tedisky, James Donovan,

I. Call to Order – Meeting was called to order by Chair Mark Parker at 7:55 p.m.

II. Roll Call – Andrew Massey, Marla Butts, Mark Parker, Diane Wolff (via Skype)

III. Appointment of Alternates – None

IV. Action on Minutes of Previous Meeting – September 8, 2014

**MOTION BY MARLA BUTTS TO APPROVE THE MINUTES OF SEPTEMBER 8TH,
SECONDED BY ANDREW MASSEY. MOTION CARRIED UNANIMOUSLY.**

V. Old Business

1. 09-14-17 Julie Anderson, Mellen Rd. (Map 5128, Block 24, Lot 07B-2) – Construction of new home, septic and wetlands crossing

Scott Young (P.E.) is present on behalf of the applicant/owner, along with Julie Anderson. Mr. Young states that NDDH has given their approval for the septic system, dated October 6th which is based on a revised plan dated 10/02/2014. A copy was given for the file. The owner is considering a modular home which would expand the footprint shown slightly, but still will be outside of the wetland setbacks as shown on the plan. Single family dwelling is being proposed on a subdivided lot from the 1990's. There is a wetland's crossing proposed. Wetland's crossing shows a 24" pipe with 6" of material on the bottom of the pipe. There was a request for documentation on the flows and capacity of the pipe. This drainage report was submitted for the file and demonstrates that the 24" pipe can easily convey the 10-year storm and has capacity up to the 25-year storm. In the wetland's cross section, plan shows fabric placement underneath the driveway for stability. As pointed out, the plan shows a 75' upland review area but it is actually 100' for the Town of Woodstock. This increases some of the disturbance in the upland review area but it doesn't change the E&S controls or the impact. Hydraulics show less than 10 acres of contributing drainage area. **MOTION BY MARLA BUTTS TO APPROVE 09-14-17 AS APPLIED FOR, SECONDED BY DIANE WOLFF. MOTION CARRIED UNANIMOUSLY.**

VI. New Business

1. 10-14-19 James Donovan, 1140 Rte 169 – Wetlands crossing for driveway

Robert Messier (Messier & Associates) is present on behalf of the property owner. (Mr. Donovan was not present until after presentation). A full application was submitted, as requested at the last meeting, along with a withdrawal of the previous application (09-14-18). The driveway is approximately 2,100' from Rte 169 up to the proposed house. Last month two options were discussed; option A was going through the wetlands, and option B was to follow the driveway as shown with one wetland crossing. Drainage calculations were done and submitted for the file. A small wetland area up above consisting of

about 3 acres drains into the location of the wetland crossing. Grading and E&S controls are shown on the plan. Mr. Messier states that there is very little disturbance on the driveway itself. Mr. Donovan would like to build his home on this lot to the rear. A request is made for locus map before the next meeting. Original application and color attachments were submitted for the file.

MOTION BY MARLA BUTTS TO ACCEPT THE APPLICATION 10-14-19, SECONDED BY ANDREW MASSEY. MOTION CARRIED UNANIMOUSLY.

2. Michael & Meribeth Tedisky, 577 Rte 197 – Request for determination “use as of right”. Ms. Tedisky is present to explain her request for stabilization of rocks in their stream. Presented is a picture of the neighbor’s abutting property that shows how the Tedisky’s would like to re-do the rocks in their stream into a stable rock wall. IWWA has concern with removing some of the rocks as they serve as an effective energy dissipation measure in an otherwise eroding area. The stones may not be sized enough to handle the velocity. A wall may actually increase the velocity which would cut deeper into the channel exacerbating problems downstream. An engineer has not reviewed to determine the kinds of footings for the wall that the property owner wants to mortar in and also the size stones to withstand the velocities. Based on the information reviewed and discussion, it does not seem to fit into the non-regulated use, maintenance and enjoyment of residential home without having an engineer take a look at the design. Does this area fall into the FEMA designated floodplain? Applicant withdraws the request until an engineer has an opportunity to review and a full application will be submitted at that time. In the meantime, if property owner wants to remove some of the stones out of the channel sporadically, not a problem. Involving a permanent wall with concrete will require an engineer’s review, someone who specializes in channel stabilization.

3. Town of Woodstock, Perrin Rd (Map 6389, Block 70, Lot 22) – Timber harvest (use permitted as of right)

Mr. Trowbridge is present to explain the details. He states that there was some timber across the brook but it is not included in this proposal. No removal of trees is proposed in any swampy area, only in the upland review area. There is no wetland crossing proposed. Property has been logged a couple of times. E&S controls are included. BOS have approved this request that is signed by Allan Walker.

MOTION BY MARLA BUTTS TO APPROVE TIMBER HARVEST REQUEST ON THE TOWN’S PROPERTY (Map 6389, Block 70, Lot 22) AS A USE PERMITTED AS OF RIGHT, AS SHOWN IN THE ATTACHED APPLICATION MATERIALS. SECONDED BY ANDREW MASSEY. MOTION CARRIED UNANIMOUSLY.

VII. Wetlands Agent Activity Report

1. Continued discussion on complaint re: Drainage work on Bungay Hill Road

T. Bellman, Wetlands Agent, is not present but a written report was provided dated 10-06-14.

(Read for the record.). Option two was acceptable to J. Navarro in Mr. Polulech’s report, to create a long narrow plunge pool from the next culvert upgrade and remain in the town’s right of way and discharge the last culvert into the end of the plunge pool. There was no engineered drawing provided by Mr. Polulech with sizing and very little detail. J. Navarro’s email of 10-06-14 was also read for the record which confirms the agreement to install a small plunge pool, riprap channel parallel to the road, down to the brook. Mr. Favreau, on behalf of the Lake Bunggee Tax District, comments on time frame of work to be done by DPW. There is discussion on whether a regulated activity did occur with the reconstruction of the drainage system. The size of the outfall was increased and it was discharged almost directly into a watercourse. Still a question of whether intermittent watercourse disturbance was involved with drainage off the hill. Based on the fact that work occurred within 125 feet of a watercourse, it was within the upland review area and should have been documented and reviewed by at

least the Agent. There is discussion regarding Mr. Polulech's recommendations. Mr. Favreau states that the contributing drainage has changed and includes Mr. Minardi's property's drainage and that was never part of the original drainage that previously drained across Mr. Toutant's property and down Oak Drive. Although Mr. Favreau comments that when he discussed the work to be done with J. Navarro prior to, he did request an engineered design due to the scope of the work, however he admits that the work has reduced the amount of volume by a tremendous amount, estimated at 75%. Mr. Favreau believes that a project of this magnitude should be designed to withstand a 150-year storm. M. Butts explained the regression analysis from Cornell University that reflects an increase from 42", on average, to 56" annually which certainly would support the better engineered design and review on future projects. It is discussed that the PWD has certain responsibilities but ultimately take their direction from BOS and therefore IWWA will contact BOS on how they will choose respond to this possible violation prior to any further action by IWWA. This may also constitute a violation of the Water Diversion Policy Act. If the Town agrees to move forward with the application process for a wetlands permit and submits a designed plan and analysis to show how the system will function, then they can avoid having to go through the state's Water Diversion Policy Act.

Can IWWA's engineer review the project? It was decided after careful consideration that a letter should be drafted to the BOS that expresses their concern with the violation of the regulations and that they would like this resolved by having a full review by a professional engineer to come up with a solution to be proposed to the Agency for its review and approval. The recommendation by IWWA will be to hire Syl Pauley (NECCOG) or Design Professional's Engineer for this work. IWWA is requesting T. Lajoie obtain a list of future highway projects and discusses how they can be more involved in just a preliminary overview to determine whether an engineer's review might be necessary so that this cost could be budgeted out ahead of time. This letter will be written in the spirit of cooperation and accountability between our agency, BOS and PWD together working toward resolution through the proper channels and engineering involvement. It is further noted that as an agency, they would like to make it as part of their standard operating procedures to set the agenda every February to discuss the list of potential projects from PWD for review and comment. In addition, a general maintenance permit should be drafted by IWWA for DPW.

2. Continued discussion on approved design for Bradford Corner Road (Andrew Massey is recused)

T. Bellman's letter states that the ditch has been piped and filled, per order of the Selectmen, to eliminate the safety concerns of the neighborhood. J. Navarro agreed to submit the requested plan for the invert elevations. There is also a letter from the BOS, signed by Allan Walker to IWWA, which asks for the IWWA's consideration and approval of the changes made by DPW. M. Butts states that she reviewed the minutes from the Board of Selectmen's meetings and did not find any documentation regarding this order for the filling of the ditch. IWWA questions where the order has come from and whether it was in writing or verbal. The discussion on this item is surrounded around there being work done in a watercourse and not within the scope of this permit, appears to be a violation of the permit and there is no documentation that this was an activity that was ordered by the BOS. As a citizen that resides on the road, Mr. Massey questions the safety concern and the process that was not followed in this case. Letter from John Navarro dated 10-02-14 to IWWA is also read for the record regarding the decision to fill the ditch. Due to A. Massey's recusal on this application and there not being a quorum, IWWA cannot make any decisions and this item will be tabled. There is a request for J. Navarro to attend the next meeting to go over the work and changes that were done and future work. A formal invitation will be made on behalf of IWWA by T. Lajoie for J. Navarro to attend the next meeting.

3. Sign off by Terry Bellman for septic repair work at 233 Smith Road, Application #09-14-18

VIII. Citizen's comments / other topics

1. ECCD Outlook – Summer 2014
2. CT Assoc of Conservation & Inland Wetlands Commission, Annual Meeting and Environmental Conference, Sat, Nov 15, 2014. M. Butts and D. Wolff would like to attend. Classes will need to be selected. They will let T. Lajoie know ASAP. CACWIC Membership renewal was signed by Chair Parker and will be together with the Conservation Commission's renewal.
3. Yearly schedule of meetings for 2015 to 2016 – (Dates were approved.)
4. Legal results ad for September 2014 meeting for Stonebridge Press was signed by Chair Parker
5. Letter regarding Bungay Hill Road will be drafted by T. Lajoie, emailed out to all IWWA members for comment and should state the following items: IWWA is advising BOS that PWD should not move forward with any modifications until the IWWA has reviewed and approved an engineered plan.

VIII. Adjournment

**MOTION TO ADJOURN BY DIANE WOLFF, SECONDED BY MARLA BUTTS AT 09:34 P.M.
MOTION CARRIED UNANIMOUSLY.**

Respectfully submitted,

Tina M. Lajoie, IWWA Clerk

Inland Wetlands & Watercourses Agency